

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
Anders Stenberg
Application No.: 09/879,151
Filing Date: June 13, 2001
Title: ABSORBENT ARTICLE

) **MAIL STOP AMENDMENT**
)
) Group Art Unit: 3761
)
) Examiner: Catharine L. Anderson
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) Confirmation No.: 4114
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**THIRD
INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a THIRD Information Disclosure Statement (IDS) and accompanying form PTO-1449 for the above-identified patent application.

- ☐ No additional fee for submission of an IDS is required.
- ☐ The fee of \$ 180 as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☒ A statement under 37 C.F.R. § 1.97(e), and the fee of \$ 180 as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☒ Charge \$ 180 to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to credit card for the fee due. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

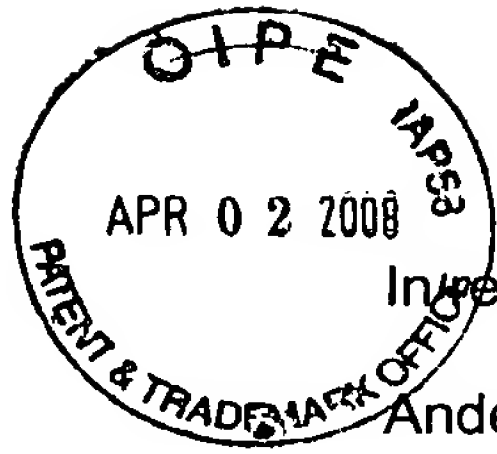
Date April 2, 2008

By:

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In re Patent Application of

Anders Stenberg

Application No.: 09/879,151

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For: ABSORBENT ARTICLE

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THIRD INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

The documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), the fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

The attached information relates to the alleged prior use documentation filed by the opponent Paul Hartmann AG against the corresponding European patent no. 1292258.

The opponent alleged that Molicare ® incontinence products were sold by them in 1999 and which had a color code in the form of narrow stripes indicating the absorption capacity of the product. A wetness indicator is arranged in a longitudinal centre of the absorbent article in the wetness area of the absorbent core. The wetness indicator is not arranged on the stripes, nor is it arranged adjacent the narrow stripes. The colored narrow stripes are arranged along the side portions of the article while the central area of the article, in which the wetness indicator is arranged, is free from these stripes.

The arrangement of the colored narrow stripes is not such that it provides an indication of where to find the wetness indicators. The colored stripes are in fact located in areas outside the actual wetting area, where the wetness indicators usually are placed. The location of the stripes and the wetness indicator does not correlate to each other.


A fee of \$ 180 as set forth in 37 C.F.R. § 1.17(p) is enclosed.

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To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,
BUCHANAN INGERSOLL & ROONEY PC

Date: April 2, 2008

By: 
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